



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105

December 15, 2000

Address Replies to WTR-8

Lt. Colonel Timothy O'Rourke
US Army Corps of Engineers
San Francisco District
ATTN: Mr. Robert Lawrence, Regulatory Branch
333 Market Street, Eight Floor
San Francisco, CA 94105-2197

Re: Public Notice No. 24392S, November 13, 2000
(Santa Cruz Harbor beach disposal demonstration project, Santa Cruz County, CA)

Dear Colonel O'Rourke:

This letter responds to the proposal to conduct a beach nourishment demonstration project at Santa Cruz Harbor. The applicant proposes to dredge approximately 12,000 cubic yards of non-toxic, but relatively fine-grained sediments from the North Harbor area, with nearshore discharge. The purpose of the project is to demonstrate whether clean, relatively fine-grained harbor sediments can be beneficially re-used for beach nourishment purposes without harm to other coastal resources. Operational restrictions are proposed, including seasonal and daily volume limitations, to minimize potential adverse impacts to water quality and to down-current beach areas. In addition, a monitoring plan is proposed to verify the effectiveness of these measures. Our review was conducted in accordance with the Federal Guidelines (40 CFR 230) published pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act.

As you know, dredged material disposal for sand nourishment purposes on coastal California beaches is typically restricted to coarse grain size sediments (~80 percent sand or more). However, there has been substantial interest from coastal communities for the Corps and EPA to allow somewhat finer sediments (lower sand percentages) for beach nourishment, especially where beach erosion is a significant concern and where opportunities to obtain replacement sand are limited. Earlier this year, EPA and Corps headquarters offices were asked to address the issue of flexibility regarding beach nourishment grain size from a Clean Water Act policy perspective. After discussing the issue with the National Dredging Team, they confirmed that there is flexibility within the 404(b)(1) Guidelines to approve finer material for beach nourishment purposes, provided that adequate *site-specific* information is available to determine that beach nourishment benefits would result and that significant adverse impacts would not occur (see enclosed letter from EPA headquarters to Brian Foss). They further acknowledged that appropriately-designed demonstration projects, such as that proposed by the Santa Cruz Port District, can provide the kind of site-specific information necessary for further evaluation.

12/29/00

The Public Notice did not originally include the specifics of the proposed monitoring program for this demonstration project. However, we have discussed the proposed monitoring with the applicant and have confirmed that it is intended to be an integral part of the demonstration project that should be reflected in the permit. We have also separately received and reviewed the specifics of the Moss Landing Marine Laboratory's revised *Santa Cruz Small Craft Harbor Demonstration Dredging Event Monitoring Program*, dated December 15, 2000, and find that it should provide adequate and appropriate information for evaluation of any future proposal to use similar material under similar circumstances for beach nourishment adjacent to Santa Cruz Harbor.

Based on our review of the available information, EPA does not object to the proposed demonstration project provided that the provisions of the December 15, 2000 monitoring proposal are incorporated as an enforceable condition of the permit, and that the results of the monitoring efforts are made available to the Corps, EPA, and relevant state and federal fish and wildlife resource agencies upon completion.

Thank you for the opportunity to provide these comments. If there are any questions, please have your staff contact Brian Ross at (415) 744-1979.

Sincerely,



Brian D. Ross

Dredging & Sediment Management Team

ENCLOSURE

cc: MBNMS, Douros
RWQCB, Briggs
CCC, Lester
CDFG, Johnson
Santa Cruz Harbor, Foss
Save the Habitat, Mader